

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO,
WESTERN DIVISION**

MAVERICK COUCH, a minor, by and
through his Mother and Next Friend, **TONYA
COUCH**,

Plaintiff,

v.

WAYNE LOCAL SCHOOL DISTRICT,
a political subdivision of the State of Ohio,
and **RANDY GEBHARDT**, in his official
capacity as Principal of Waynesville High
School,

Defendants.

Case No. 1:12cv265

JUDGMENT

This matter comes before the Court on the parties' request to enter an agreed judgment. The Court, having been fully informed and having participated in several conferences with counsel for the parties regarding a resolution to this matter, hereby enters judgment in favor of Plaintiff Maverick Couch and against the Defendants "Wayne Local School District," properly identified as Wayne Local School District Board of Education, and Randy Gebhardt (collectively, the "Defendants") on the following terms, which have been agreed to by the parties. IT IS HEREBY ORDERED:

1. Judgment is entered against Defendants and in favor of Plaintiff.

2. The Defendants are enjoined from prohibiting Plaintiff Maverick Couch from wearing the “Jesus Is Not A Homophobe” T-shirt, which is more fully described in paragraph 7 of Plaintiff’s Complaint. Plaintiff is expressly permitted to wear the “Jesus Is Not A Homophobe” T-shirt to school when he chooses.

3. Plaintiff is the “prevailing party,” as that phrase is used in 42 U.S.C. § 1988.

4. Defendants are ordered to pay damages and costs, including reasonable attorneys’ fees, in the amount of \$20,000 to Plaintiff on or before July 5, 2012. This reflects the total amount to be paid by the Defendants on account of any liability claimed in this action, including all costs of suit and attorney’s fees that may be recoverable by Plaintiff. This is a final Judgment and resolves all claims in this action, including, but without limitation, any and all claims for compensatory damages, statutory damages, punitive damages, attorneys’ fees, injunctive relief, expenses, and costs, as well as any claim for interest of any kind or nature whatsoever.

5. This Judgment, which reflects the parties’ agreement, is further intended to foreclose and preclude any further claim the Plaintiff may have, or arguably could have, asserted against any employee, representative, or agent of the Wayne Local School District Board of Education, with respect to, or arising from, the facts and circumstances set forth in the Plaintiff’s Complaint. Nothing about this Judgment and Order forecloses or precludes any future claims the Plaintiff may have, or arguably could have, with respect to articles of clothing or other forms of expression that were not the subject of Plaintiff’s Complaint in this matter.

6. This Judgment shall bar further litigation under the doctrines of claim preclusion and issue preclusion, but only as to the parties to this suit and only insofar as to the facts expressly pled in the Complaint.

IT IS SO ORDERED.

/s/ *Michael R. Barrett*

Judge Michael R. Barrett